

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE**

AMENDED NOTICE OF HEARINGS

The United States Bankruptcy Appellate Panel for the First Circuit will hear oral arguments in Manchester, New Hampshire on **Monday, October 3, 2011**. The hearings will be conducted at the United States Bankruptcy Court for the District of New Hampshire in Courtroom 1, 11th Floor, 1000 Elm Street, Manchester, New Hampshire. This is an opportunity to attend BAP oral arguments without traveling to Boston.

Note: Hearing times for the arguments have changed and one hearing has come off the list.

The cases currently scheduled for argument, and the issues presented in each case, are:

10:00 a.m. Hearings

Sean T. Donahue, Jr. and Sandra M. Donahue v. William K. Harrington, United States Trustee (In re Sean T. Donahue, Jr. and Sandra M. Donahue)

BAP Case No. NH 11-026

Richard C. Mooney, Esq., on brief for Appellants.
Ramona D. Elliot, Esq., P. Matthew Sutko, Esq., Geraldine Karonis, Esq., and Ann Marie Dirs, Esq., on brief for Appellee.

Sean T. Donahue, Jr. and Sandra M. Donahue appeal from two bankruptcy court orders: 1) the order denying their request to file a late statement of facts in support of their objection to the United States Trustee's motion for summary judgment, and 2) the order granting the United States Trustee's motion for summary judgment on his complaint objecting to their discharge. In granting summary judgment, the bankruptcy court concluded that the Donahues were not "punctilious and complete in their representation of their affairs."

State of New Hampshire v. Robert S. McGrahan (In re Robert S. McGrahan)

BAP Case No. NH 11-033

Peter C.L. Roth, Senior Assistant Attorney General, on brief for Appellant.
Raymond J. DiLucci, Esq., on brief for Appellee.
Frederick F. Rudzik, Chief Assistant General Counsel, on brief for amicus curiae, State of Florida, Department of Revenue.

The State of New Hampshire Department of Health and Human Services appeals a bankruptcy court order, granting the debtor's amended motion to modify his confirmed chapter 13 plan, on the basis that the plan contravenes the exception to the automatic stay in § 362(b)(2)(F) regarding the interception of tax refunds.

10:30 a.m. Hearings

Ralph G. Canning, III and Megan L. Canning v. Beneficial Maine, Inc., HSBC Mortgage Services, Inc., and HSBC Mortgage Corp. (In re Ralph G. Canning, III and Megan L. Canning)

BAP Case No. EP 11-034

James F. Molleur, Esq., and Tanya Sambatakos, Esq., on brief for Appellants.
Peter J. Haley, Esq., and Sean R. Higgins, Esq., on brief for Appellees.

Ralph G. Canning, III and Megan L. Canning appeal a bankruptcy court judgment holding that the post-discharge refusal of the secured creditor, Beneficial Maine, Inc., to foreclose or release its mortgage lien on the debtors' property did not constitute a violation of the discharge injunction.